

Application No. 10/670,819

REMARKS

A telephonic interview was held December 14, 2005, between the undersigned and Examiner Fred Parker. During that interview, the disclosure in the Crititech "Technology" web article ("CriticTech") was raised, specifically with respect to its disclosure of the use of "near critical carbon dioxide." The Applicant was invited to address this disclosure with respect to the pending claims.

The undersigned would like to thank the Examiner for providing the opportunity to address the issue raised. In response, the Applicant respectfully submits the following discussion of the invention and the cited CritiTech reference.

The Applicant's invention, as recited in claim 1, the only independent claim, includes suspending at least one medical device in a fluidizing "gas" flow. In the Amendment filed October 25, 2005, the Applicant submitted that a person of ordinary skill in the art would understand that the term "gas" as used in the Applicant's disclosure represents a state of matter distinct from a "solid," "liquid," or "supercritical fluid."

The Applicant also respectfully submits that a person of ordinary skill in the art would understand that the term "gas" as used in the Applicant's disclosure represents a state of matter distinct from "near critical carbon dioxide" as disclosed in the CritiTech reference. The Applicant respectfully submits the attached publication from www.supercoolhealth.com, which provides a discussion of "supercritical" and "near-critical fluids." That publication makes clear that in the "near-critical" state, substances such as carbon dioxide that are "normally gaseous" have been transformed from that gaseous state to become "dense phase fluids." The reference states:

In these supercritical or near-critical fluid regions, normally gaseous substances such as carbon dioxide become dense phase fluids, which exhibit greatly enhanced solvating power.

See www.supercoolhealth.com. The reference thus makes clear that carbon dioxide in the "near-critical" region is in a "dense phase fluid" state (similar to "supercritical" fluids), which is a state different than the "gaseous" state.

Consistent with this, the Applicant is using the term "gas" in the pending claims to mean a substance in a gaseous state and to specifically exclude substances in "supercritical," "near critical," "solid" or "liquid" states.

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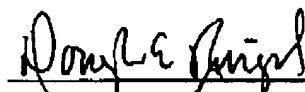
The CritiTech reference relates to a process using "supercritical" or "near critical" carbon dioxide (CO₂), i.e., CO₂ near or above its critical pressure and temperature, to take advantage of the "unique properties" of CO₂ in such a state. As stated in the attached publication from www.supercoolhealth.com, CO₂ in the "supercritical" or "near critical" state is not a gas but a "dense phase fluid[, which exhibit[s] greatly enhanced solvating power." There is no suggestion in the CritiTech reference for using CO₂ in its "gaseous" state, and, indeed, the use of a "gas" instead of "supercritical" or "near critical" CO₂ with its unique solvating properties would be contrary to the teachings of the CritiTech reference.

The Applicant respectfully requests the Examiner's consideration of the above remarks. If the Examiner has any questions after considering the above remarks, the Examiner is invited to contact the undersigned at (202) 220-4225.

Respectfully submitted,

Dated: 19 Dec 2005

By:

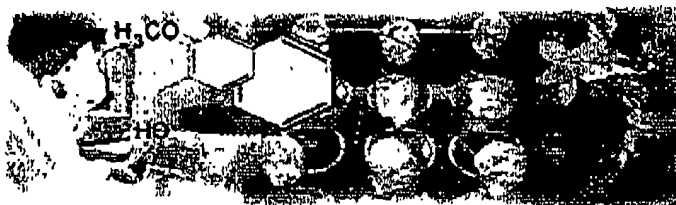


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Reg. No. 34,416

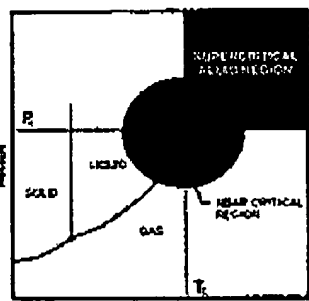
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dioxide has a density around 0.8 g/cc and behaves very much like hexane, a very nonpolar organic solvent since carbon dioxide has a dipole moment of zero debyes.

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